

KILPATRICK TOWNSEND & STOCKTON LLP  
GREGORY S. GILCHRIST (Bar # 111536)  
GIA L. CINCONI (Bar # 141668)  
RYAN BRICKER (Bar # 269100)  
Two Embarcadero Center, 8th Floor  
San Francisco, California 94111  
Telephone: (415) 576-0200  
Facsimile: (415) 576-0300  
Email: ggilchrist@kilpatricktownsend.com, gcincone@kilpatricktownsend.com,  
rbricker@kilpatricktownsend.com  
  
Attorneys for Plaintiff  
LEVI STRAUSS & CO.

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LEVI STRAUSS & CO., a Delaware  
Corporation,

Plaintiff,

v.

VANITY SHOP OF GRAND FORKS, INC., a  
North Dakota corporation; VANITY, INC., a  
North Dakota corporation,

Defendants.

Case No. 3:12-cv-02292-LB

**STIPULATION** AND ORDER

Plaintiff Levi Strauss & Co. ("LS&Co.") and Defendants Vanity Shop of Grand Forks, Inc.,  
and Vanity, Inc. ("Defendants") hereby stipulate to the following:

1. Defendants' time to file their Answer or responsive motion is extended until ten (10)  
days after the date that the Motion, described below, is granted (the "Extension").

2. Levi Strauss presently intends to file a motion to dismiss or transfer in *Vanity Shop of  
Grand Forks, Inc. v. Levi Strauss & Co.*, Case No. 1:12-cv-00047-DLH-CSM (D.N.D., filed May 2,  
2012) (the "First Action"), and/or a motion to consolidate the First Action with the present action (the  
"Motion"). Vanity intends to oppose the Motion. The Extension will allow Vanity to wait until the

1 District Court for the District of North Dakota has ruled on LS&Co.'s Motion before filing its Answer  
2 or responsive motion in the present action.

3 3. If the District Court for the District of North Dakota denies the Motion, LS&Co. will  
4 pursue counterclaims in the First Action and will voluntarily dismiss the present action without  
5 prejudice.  
6

7 4. The parties' agreement to this Stipulation is made and is conditioned on their  
8 willingness to enter into good faith settlement discussions so that, if a settlement is reached, they will  
9 avoid unnecessary legal fees and motion practice. The parties agree that this is the only reason for the  
10 proposed Stipulation and that nothing in this Stipulation shall have any bearing whatsoever on  
11 LS&Co.'s contemplated Motion. Nothing in this stipulation shall obligate one party to accept the  
12 other party's proposed settlement terms.  
13

14  
15 Dated this 24th day of May, 2012.

16 ATTORNEYS FOR PLAINTIFF:

17 KILPATRICK TOWNSEND AND  
18 STOCKTON LLP

19 /Gregory S. Gilchrist/  
20 Gregory S. Gilchrist  
21 Two Embarcadero Center, Eighth Floor  
22 San Francisco, CA 94111

23 ATTORNEYS FOR DEFENDANTS:

24 ANDERSON BOTTRELL SANDEN &  
25 THOMPSON


26 /Michael T. Andrews/  
27 Michael T. Andrews  
28 4132 30<sup>th</sup> Avenue South, Suite 100  
Fargo, ND 58104

ANTOINETTE M. TEASE, P.L.L.C.

/Antoinette M. Tease/  
Antoinette M. Tease  
175 N. 27<sup>th</sup> St., Suite 1206  
Billings, MT 59101

IT IS SO ORDERED.

DATED: May 29, 2010

  
\_\_\_\_\_  
Magistrate Judge Laurel Beeler  
United States District Judge

PROOF OF SERVICE

I hereby certify and declare under penalty of perjury that the following statements are true and correct:

1. I am over the age of 18 years and am not a party to the within cause. My business address is Eighth Floor, Two Embarcadero Center, San Francisco, California 94111.

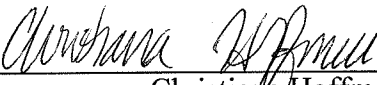
2. I am familiar with my company's mail collection and processing practices, know that said mail is collected and deposited with the appropriate overnight delivery service or with the United States Postal Service on the same day it is deposited in interoffice mail, and know that postage thereon is fully prepaid.

3. Following said practice, on May 24, 2012, I served by United States mail, a true copy of the attached document titled exactly STIPULATION by placing it in an addressed, sealed envelope and depositing it in regularly maintained interoffice mail to the following:

Antoinette M. Tease  
ANTOINETTE M. TEASE, P.L.L.C  
175 N. 27<sup>th</sup> St., Suite 1206  
Billings, MT 59101

Michael T. Andrews  
ANDERSON BOTTRELL SANDEN &  
THOMPSON  
4132 30<sup>th</sup> Avenue South, Suite 100  
Fargo, ND 58104

EXECUTED this 24th day of May, 2012, at San Francisco, California.

  
\_\_\_\_\_  
Christiana Hoffman